

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

**Oneida Nation / Oneida Police Department,
Petitioners**

CASE NO: 21-CT-034

v.

**Christopher Lee Metoxen,
Defendant**

Date: January 24, 2022

JUDGMENT AND SATISFACTION

This case has come before the Oneida Trial Court, Honorable Layatalati Hill presiding.

Appearing in person: Attorney Kelly McAndrews, representing the Petitioners.

Appearing by phone: Defendant, Christopher Lee Metoxen.

BACKGROUND

A citation was issued to the Defendant on October 30, 2021, for violating Oneida Code of Laws section 309.6-6, Nuisance, 1st offense. A hearing was held on January 20, 2022 at 9:15 a.m.

FINDING OF FACTS

1. The Court has subject matter, personal and territorial jurisdiction over this matter.
2. The Defendant received proper notice.
3. The Defendant was issued a citation on October 30, 2021, for Nuisance, 1st offense.
4. The Defendant was required to appear.
5. The Defendant appeared by phone at the hearing on January 20, 2022.
6. The Defendant paid the \$100.00 fine on January 10, 2022.
7. The Court waived the \$25.00 court costs.
8. The Defendant pled to Admit.
9. The Court accepted Defendant's Admit plea.
10. The Petitioner presented clear and convincing evidence the Defendant engaged in activity constituting a nuisance.

PRINCIPLES OF LAW

Oneida Code of Laws Title 3. Health and Public Safety - Chapter 309 Public Peace:

Section 309.6-6. Nuisance. A person commits the civil infraction of nuisance whenever he or she engages in a thing, act, occupation, condition or use of property which shall continue for such length of time as to:

- (a) substantially annoy, injure or endanger the comfort, health, repose or safety of the public;
- (b) in any way render the public insecure in life or in the use of property; or
- (c) greatly offend the public morals or decency.

ANALYSIS

The Defendant was cited for a violation of section 309.6-6 for engaging in activity constituting a nuisance. The Defendant appeared and understood he was admitting to the charge by paying the fine before the hearing. The Court accepted the Defendant's Admit plea and found the Defendant guilty. Because the Defendant paid the fine before the hearing, the Court waived the \$25.00 court costs. Therefore, the Court ordered a judgment and satisfaction as described below.

ORDER

A judgment is entered in favor of the Petitioner and against the Defendant in the amount as follows:

- 1. 1st offense, Nuisance – 309.6-6.
 - Fine: **\$100.00**
 - Court Costs: **Waived**
 - Amount owed by Defendant: **\$100.00**
- 2. The total amount owed by Defendant is satisfied.

The parties have the right to appeal within 30 days in accordance with the Nation's laws.

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary pursuant to Resolution 01-07-13-B of the General Tribal Council this Order is signed on January 24, 2022.

Layatalati Hill, Chief Trial Court Judge